

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ELLEN MCGLONE AND JOHN MCGLONE,

Plaintiffs,

ORDER
CV 09-2896 (LDW)(ARL)

-against-

THERMOTEX, INC., et al.,

Defendants.

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LINDSAY, Magistrate Judge:

Before the court is the plaintiff's letter dated April 20, 2011, opposing an anticipated request for a sixty day extension of the discovery deadlines, requesting that the defendants produce two employees for depositions, and seeking to compel a more complete response to a document request. By letter dated April 21, 2011, the defendants have responded to the plaintiff's application. Although the plaintiff opposes the "anticipated" extension, it is clear to the court that discovery is not complete. Accordingly, the discovery deadline will be extended one final time to June 29, 2011. Any party planning on making a dispositive motion shall take the first step in the motion process by July 13, 2011. The final conference is adjourned to July 27, 2011 at 11:30 a.m. The parties are directed to electronically file the proposed joint pretrial order prior to the conference. The parties are further directed to appear before Judge Wexler following the undersigned's final conference to schedule the case for trial. Judge Wexler has advised the undersigned that this case will be scheduled for trial on or about August 1, 2011.

With respect to the plaintiff's request to take the deposition of Jane Kochis, the defendants have agreed to produce Ms. Kochis for a deposition despite the fact that her deposition was not noticed by the plaintiff. The plaintiff has also failed to notice the deposition of Steven Hamrock and the defendants will not voluntarily produce him arguing that his testimony would be duplicative. Accordingly, that request is denied, as is the defendants' motion for a protective order with respect to Mr. Hamrock's deposition. If, and when, Mr. Hamrock's deposition is noticed, counsel can then file the appropriate motions. Finally, with respect to the alleged deficient discovery response, the defendants have indicated that they have just supplemented the response, and thus the application is now moot.

Dated: Central Islip, New York
April 26, 2011

SO ORDERED:

_____/s/_____
ARLENE R. LINDSAY
United States Magistrate Judge